

**STATE OPERATING PERMIT
STATIONARY SOURCE PERMIT TO OPERATE**

**This permit includes designated equipment to New Source
Performance Standards (NSPS) Subpart Dc.**

Draft Version for Public Comment

This permit supersedes your permit dated October 15, 2003, as amended September 22, 2004.

In compliance with the Federal Clean Air Act and the Commonwealth of Virginia
Regulations for the Control and Abatement of Air Pollution,

Tire Energy Corporation
499 Industrial Park Drive
Ridgeway, VA 24148
Registration No.: 21415
County-Plant No.: 089-0130

is authorized to operate a steam production facility located at

499 Industrial Park Drive
Ridgeway, VA 24148

in accordance with the Conditions of this permit.

Approved on **Date.**

Steven A. Dietrich, P.E.
Regional Director, Department of Environmental Quality

Permit consists of 14 pages.
Permit Conditions 1 to 44.
Source Testing Report Format.

INTRODUCTION

This permit approval is based on the permit application dated July 20, 2005, including supplemental information dated February 2, 2006, and April 6, 2006. Operating parameters not covered in that application shall be as represented in the application dated January 30, 2003, including amendment request information dated March 9, 2004 and subsequent associated correspondence. Any changes in the permit application specifications or any existing facilities which alter the impact of the facility on air quality may require a permit. Failure to obtain such a permit prior to construction may result in enforcement action.

Words or terms used in this permit shall have meanings as provided in 9 VAC 5-10-10 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution. The regulatory reference or authority for each condition is listed in parentheses () after each condition.

Annual requirements to fulfill legal obligations to maintain current stationary source emissions data will necessitate a prompt response by the permittee to requests by the DEQ or the Board for information to include, as appropriate: process and production data; changes in control equipment; and operating schedules. Such requests for information from the DEQ will either be in writing or by personal contact.

The availability of information submitted to the DEQ or the Board will be governed by applicable provisions of the Freedom of Information Act, §§ 2.2-3700 through 2.2-3714 of the Code of Virginia, § 10.1-1314 (addressing information provided to the Board) of the Code of Virginia, and 9 VAC 5-170-60 of the State Air Pollution Control Board Regulations. Information provided to federal officials is subject to appropriate federal law and regulations governing confidentiality of such information.

PERMIT CONDITIONS

PROCESS REQUIREMENTS

1. Equipment List - Equipment to be at this facility consists of:

- one tire combustion facility rated at 38 MMBTU/hr (NSPS Dc) composed of the following equipment

- 1 – Rotary kiln and afterburner rated at 2,400 lbs./hr.
- 1 – Heat recovery steam boiler rated at 27,010 lbs./hr.
- 1 – Heat exchanger
- 1 – Dry adsorbent injection system rated at 200 lb./hr.
- 1 or 2 – Baghouse(s) rated at 40,000 acfm total airflow*

* equipment modification may be based on a second baghouse or replacement of the existing baghouse with a larger unit so long as a satisfactory air-to-cloth ratio is maintained

(9 VAC 5-80-800)

2. **Emission Controls** – Particulate emissions from the rotary kiln shall be controlled by one or more fabric filter baghouse(s). The baghouse(s) shall be provided with adequate access for inspection and shall be in operation when the rotary kiln is operating. Each baghouse shall be equipped with a device to continuously measure and record the differential pressure drop across the fabric filter(s). The device(s) shall be installed in an accessible location and shall be maintained by the permittee so as to be in proper working order at all times, excepting brief periods of instrument maintenance.
(9 VAC 5-80-850 and 9 VAC 5-50-260)
3. **Control Efficiency** - The baghouse(s) shall maintain a maximum penetration for particulate matter and PM-10 of no more than 0.005 grains per actual cubic foot.
(9 VAC 5-50-260)
4. **Monitoring Devices** - A Bag Leak Detection System shall be installed, calibrated, maintained and continuously operated on the exhaust duct of each rotary kiln baghouse or at a location acceptable to VDEQ if multiple baghouse discharges are combined before discharge. The BLDS must be certified by the manufacturer to be capable of detecting PM emissions at concentrations of 10 milligrams per actual cubic meter (0.0044 grains per actual cubic foot) or less. The bag leak detection system must be equipped with an alarm system that will sound automatically when an increase in relative PM emissions over a preset level is detected and the alarm must be located such that it can be heard by the appropriate plant personnel. A triboelectric bag leak detection system shall be installed, operated, adjusted, and maintained in a manner consistent with the U. S. Environmental Protection Agency guidance, "Fabric Filter Bag Leak Detection guidance" (EPA-454/R-98-015, September 1997). Bag leak detection systems using other technology shall be installed, operated, adjusted and maintained in a manner consistent with the manufacturer's written specifications and recommendations. Initial adjustment of the system shall, at a minimum, consist of establishing the baseline output by adjusting the range and the averaging period of the device and establishing the alarm set points and the alarm delay time. Following an initial adjustment, the owner or operator shall not adjust the range, averaging period, alarm set points, or alarm delay time except as detailed in the approved operation, maintenance, and monitoring plan required under this section. Records of all such adjustments will be recorded. In no event shall the range be increased by more than 100 percent or decreased by more than 50 percent over a 365-day period unless a responsible official as defined in §63.2 of the General Provisions in 40 CFR 63 Subpart A certifies that the baghouse has been inspected and found to be in good operating condition. The operation, maintenance and monitoring plan required by this section must specify corrective actions to be followed in the event of a bag leak detection system alarm. Example corrective actions that may be included in the plan include the following:
 - a. Inspecting the baghouse for air leaks, torn or broken bags or filter media, or any other conditions that may cause an increase in emissions;
 - b. Sealing off defective bags or filter media;
 - c. Replacing defective bags or filter media, or otherwise repairing the control device;

- d. Sealing off a defective baghouse compartment;
 - e. Cleaning the bag leak detection system probe, or otherwise repairing the bag leak detection system;
 - f. Shutting down the process producing the particulate emissions.
(9 VAC 5-80-850 and 9 VAC 5-50-260)
5. **Emission Controls** – Volatile organic compound emissions from the rotary kiln shall be controlled by an afterburner. The control device shall be provided with adequate access for inspection and shall be in operation when the rotary kiln is operating. The minimum temperature of the secondary chamber shall be maintained at 1350° F when the rotary kiln is operating except for periods of startup, shutdown and malfunction.
(9 VAC 5-80-850 and 9 VAC 5-50-260)
6. **Monitoring Devices** - The rotary kiln and afterburner shall be equipped with one or more continuous temperature sensors at or near the chamber exits to indicate the temperatures in each unit. Each monitoring device shall be installed, maintained, calibrated and operated in accordance with approved procedures which shall include, as a minimum, the manufacturer's written requirements or recommendations. Each monitoring device shall be provided with adequate access for inspection and shall be in operation when the rotary kiln is operating.
(9 VAC 5-80-850 and 9 VAC 5-50-260)
7. **Emission Controls** – Sulfur dioxide and hydrogen chloride emissions from the rotary kiln shall be controlled by a dry adsorbent injection system. The adsorbent used for the test data provided for this permit was extra-fine sodium bicarbonate. Tire Energy may substitute other adsorbents providing testing acceptable to VDEQ is undertaken to demonstrate the adequacy of the substitute adsorbent material. The injection system shall be provided with adequate access for inspection and shall be in operation when the rotary kiln is combusting tires.
(9 VAC 5-80-850 and 9 VAC 5-50-260)
8. **Emission Controls** – Particulate matter emissions from the dry adsorbent storage silo shall be controlled by a bin vent filter. The bin vent filter shall be provided with adequate access for inspection and shall be in operation when receiving dry adsorbent.
(9 VAC 5-80-850 and 9 VAC 5-50-260)
9. **Tire Storage** – Tires on-site shall be stored in enclosed trailers prior to being processed. Tires on-site shall not be stored on the ground at any time. Tires stored off-site, other than generator locations, shall be stored in enclosed trailers and shall be documented on an end-of-month basis with records of location(s), number of trailers and estimates of number and weight of tires stored.
(9 VAC 5-80-850 and 9 VAC 5-170-160)

10. **Emergency Bypass Stack Cap** – The emergency bypass stack cap shall be constructed with a device that continuously monitors the status, whether open or closed, of the emergency bypass stack cap. A record of the bypass position will be maintained.
(9 VAC 5-80-850)
11. **Rotary Kiln Baghouse Exhaust Stack** – The rotary kiln baghouse exhaust stack shall be constructed to have a minimum setback of 220 linear feet from the vertical center line of the City of Martinsville’s water tower which is located in the Martinsville Industrial Park. The rotary kiln baghouse exhaust stack shall be constructed to have a minimum stack height of 100 feet. The rotary kiln baghouse exhaust stack shall be constructed to have a rain cap cover over the outlet of the stack.
(9 VAC 5-50-20, 9 VAC 5-80-850 and 9 VAC 5-170-160)
12. **Fugitive Dust Controls** – Fugitive dust emissions from conveying equipment and storage bins shall be controlled by adequate ventilation or other reasonable precautions to prevent particulate matter from becoming airborne. Trucks hauling material to or from the plant area via public roads/highways shall be covered to prevent spilling or tracking of flyash, bottom ash, sodium bicarbonate, or other materials on such public roads/highways. Any flyash, bottom ash, sodium bicarbonate, or other materials spilled or tracked onto public roads/highways shall be promptly removed to prevent particulate matter from becoming airborne or creating a traffic hazard.
(9 VAC 5-50-90 and 9 VAC 5-80-850)
13. **Testing/Monitoring Ports** - The facility shall be modified so as to allow for emissions testing upon reasonable notice at any time, using appropriate methods. Sampling ports shall be provided when requested at the appropriate locations and safe sampling platforms and access shall be provided.
(9 VAC 5-50-30 F and 9 VAC 5-80-850)
14. **Particulate Disposal** – The disposal of collected particulate matter shall be performed in a manner which minimizes the introduction of air contaminants to the ambient air. The collected particulate (ash) shall be sampled, characterized, and managed in a manner consistent with 9 VAC 20-80, et seq.
(9 VAC 5-170-160)

OPERATING LIMITATIONS

15. **Fuel** - The approved fuels for the rotary kiln are tires and natural gas. A change in the fuel may require a permit to modify and operate.
(9 VAC 5-80-850)
16. **Fuel Throughput** - The combustion of tires shall not exceed 11,100 tons per year, calculated monthly as the sum of each consecutive 12 month period.
(9 VAC 5-80-850)

17. **Higher Heating Value of Tires** – The Higher Heating Value (HHV) of tires to be used as a parameter to determine the heat input shall be 15,500 BTU/lb. of tire.
(9 VAC 5-80-850)
18. **Fuel** - The approved fuel for the afterburner is natural gas. A change in the fuel may require a permit to modify and operate.
(9 VAC 5-80-850)
19. **Requirements by Reference** - Except where this permit is more restrictive than the applicable requirement, the equipment as described in Condition 1 shall be operated in compliance with the requirements of 40 CFR 60 Subpart Dc, *Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units*.
(9 VAC 5-80-850, 9 VAC 5-50-400 and 9 VAC 5-50-410)

EMISSION LIMITATIONS

20. **Emission Limits** - Emissions from the operation of the rotary kiln baghouse exhaust stack shall not exceed the limits specified below:

<u>Pollutant</u>	<u>lb./MMBTU</u>	<u>lb./hr.</u>	<u>tons/yr.</u>	<u>ppm</u>
Particulate Matter	0.051	1.9	8.5	
PM-10	0.051	1.9	8.5	
Sulfur Dioxide SO ₂	0.480*	18.3	80.0	
Nitrogen Oxides NO _x	0.230	8.8	38.5	
Carbon Monoxide CO	0.060*	2.3	20.0	200**
Volatile Organic Compounds	0.060	2.3	10.0	
Hydrogen Chloride HCl	0.02			
Lead Compounds	0.000032			
Mercury	0.000003			

*Based on a three-hour averaging period

**Corrected to 7% O₂

(9 VAC 5-80-850)

21. **Emission Limits** - Hazardous air pollutant (HAP) emissions, as defined by §112(b) of the Clean Air Act, from the rotary kiln shall not exceed five (5) tons per year of any individual HAP or ten (10) tons per year of any combination, calculated monthly as the sum of each consecutive 12 month period. HAPs which are not accompanied by a specific CAS number shall be calculated as the sum of all compounds containing the named chemical when determining compliance with the individual HAP emissions limitation of five (5) tons per year.
(9 VAC 5-170-160 and 9 VAC 5-60-100)

22. **Visible Emission Limit** - Visible emissions from the rotary kiln baghouse exhaust stack shall not exceed 7.5 percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.
(9 VAC 5-80-850, 9 VAC 5-50-260, and 9 VAC 5-50-410)
23. **Visible Emission Limit** - Visible emissions from the dry adsorbent storage silo shall not exceed five percent (5%) opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A).
(9 VAC 5-80-850 and 9 VAC 5-50-260)
24. **Visible Emission Limit** - Visible emissions from the kiln loading door shall not exceed five percent (5%) opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.
(9 VAC 5-80-850, 9 VAC 5-50-260, and 9 VAC 5-170-160)

INITIAL COMPLIANCE DETERMINATION

25. **Stack Tests** – Within 180 days after start-up using the new induced draft fan and increased baghouse capacity, the permittee shall conduct performance tests for particulate matter, PM-10, sulfur dioxide, nitrogen oxides, carbon monoxide, volatile organic compounds hydrogen chloride, lead compounds, and mercury from the rotary kiln baghouse exhaust stack to demonstrate compliance with the emission limits and control efficiency requirements contained in this permit. The details of the tests shall be arranged with the Air Compliance Manager, West Central Regional Office.
(9 VAC 5-50-30 G)

CONTINUING COMPLIANCE DETERMINATION

26. **Stack Tests** – If initial performance testing was done at a firing rate below 34 MMBTU/hr, when the steam generating facility reaches 95% or more of the rated capacity of 38 MMBTU/hr heat input, as a daily average, the permittee shall conduct performance tests for particulate matter, PM-10, sulfur dioxide, nitrogen oxides, carbon monoxide, volatile organic compounds, hydrogen chloride, lead compounds, and mercury from the rotary kiln baghouse exhaust stack to demonstrate compliance with the emission limits and control efficiency requirements contained in this permit. Testing shall be performed within 180 days of achieving the 95% capacity level. The details of the tests shall be arranged with the Air Compliance Manager, West Central Regional Office.
(9 VAC 5-50-30 G)
27. **Interim Stack Tests** – If initial performance testing was done at a firing rate below 28 MMBTU/hr, and if the steam generating facility operates for more than 180 days before reaching 95% or more of the rated capacity of 38 MMBTU/hr heat input after reaching a daily average of 32 MMBTU/hr capacity, the permittee shall conduct interim performance tests for particulate matter, PM-10, sulfur dioxide, nitrogen oxides, carbon monoxide, volatile

organic compounds, hydrogen chloride, lead compounds, and mercury from the rotary kiln baghouse exhaust stack to demonstrate compliance with the emission limits and control efficiency requirements contained in this permit. Testing shall be performed within thirty days after reaching the 180 day milestone. The details of the tests shall be arranged with the Air Compliance Manager, West Central Regional Office.

(9 VAC 5-50-30 G)

28. **Stack Tests** – Upon request of VDEQ, the permittee shall conduct performance tests for particulate matter, PM-10, sulfur dioxide, nitrogen oxides, carbon monoxide, volatile organic compounds, hydrogen chloride, lead compounds, and/or mercury from the rotary kiln baghouse exhaust stack to demonstrate compliance with the emission limits and control efficiency requirements contained in this permit. The details of the tests shall be arranged with the Air Compliance Manager, West Central Regional Office.

(9 VAC 5-50-30 G)

29. **Visible Emissions Evaluation** - Upon request by the DEQ, the permittee shall conduct visible emission evaluations from the rotary kiln baghouse exhaust stack, the dry adsorbent storage silo, and/or the kin loading door to demonstrate compliance with the visible emission limits contained in this permit. The details of the tests shall be arranged with the Air Compliance Manager, West Central Regional Office.

(9 VAC 5-50-30 G)

CEMS/COMS

30. **CEMS** - Continuous Emission Monitoring Systems meeting the design specifications of 40 CFR 60 Appendix B, shall be installed to measure and record the emissions from the rotary kiln baghouse exhaust stack of sulfur dioxide in lbs/MMBTU heat input and carbon monoxide in ppm. The CEMS for sulfur dioxide shall act as a surrogate for the monitoring of hydrogen chloride emissions. The CEMS shall be installed, calibrated, maintained, audited and operated in accordance with the requirements of 40 CFR 60 and Appendices B and F or DEQ approved equivalent procedures which are equivalent to the requirements of 40 CFR 60 and Appendices B and F. Data shall be reduced to one-hour averages (three-hour averages for lb/MMBTU calculations), 24 hour rolling averages, and 30 day rolling averages. The span value for the sulfur dioxide monitor shall be 125 percent of the maximum estimated hourly potential SO₂ emission rate of the fuel combusted span value in accordance with 40 CFR Part 60 or other value approved by the DEQ.

(9 VAC 5-50-40 and 9 VAC5-80-850)

31. **CEMS/COMS Performance Evaluations** - Performance evaluations of the continuous monitoring system shall be conducted in accordance with 40 CFR Part 60, Appendix B, and shall take place during the performance tests under 9 VAC 5-50-30 or within 30 days thereafter. One copy of the performance evaluations report shall be submitted to the Air Compliance Manager, West Central Regional Office within 45 days of the evaluation. The continuous monitoring systems shall be installed and operational prior to conducting initial performance tests. Verification of operational status shall, as a minimum, include

completion of the manufacturer's written requirements or recommendations for installation, operation and calibration of the device. A 30-day notification, prior to the demonstration of continuous monitoring system's performance, and subsequent notifications shall be submitted to the Air Compliance Manager, West Central Regional Office.
(9 VAC 5-50-40 and 9 VAC5-80-850)

32. **CEMS/COMS Quality Control Program** - A CEMS quality control program which is equivalent to the requirements of 40 CFR 60 and Appendix B or F shall be implemented for all continuous monitoring systems except that Relative Accuracy Test Audits (RATA's) may be required less frequently if approved by DEQ.
(9 VAC 5-50-40 and 9 VAC5-80-850)

RECORDS AND REPORTING

33. **On Site Records** - The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Air Compliance Manager, West Central Regional Office. These records shall include, but are not limited to:
- a. Monthly and annual hours of operation of the rotary kiln, annual hours calculated monthly as the sum of each consecutive 12 month period.
 - b. Average daily production of steam, during periods when the facility is in operation.
 - c. Monthly and annual consumption of dry adsorbent, annual consumption calculated monthly as the sum of each consecutive 12 month period.
 - d. Daily, monthly and annual throughput of tires, annual throughput calculated monthly as the sum of each consecutive 12 month period.
 - e. Daily, monthly and annual consumption of natural gas, annual consumption calculated monthly as the sum of each consecutive 12 month period.
 - f. Continuous temperature records for the rotary kiln and afterburner chamber maintained as data points of no less than the one-minute average temperature.
 - g. Monthly continuous signal records and report of alarms for the bag break detector, including bag break detector sensitivity and setpoint changes.
 - h. Results of all stack tests, visible emission evaluations and performance evaluations.
 - i. Continuous monitoring system calibrations and calibration checks, scheduled and unscheduled maintenance, programming revisions, and excess emissions.

- j. Emissions of sulfur dioxide from the rotary kiln exhaust stack in lbs/MMBTU heat input recorded and reduced to three-hour averages, 24 hour rolling averages, and 30 day rolling averages.
- k. Monthly and annual emissions of sulfur dioxide in pounds per hour or tons per year, annual emissions calculated monthly as the sum of each consecutive 12 month period.
- l. Emissions of carbon monoxide in ppm, recorded and reduced to three hour averages, 24 hour rolling averages, and 30 day rolling averages.
- m. Monthly and annual emissions of carbon monoxide in pounds per hour or tons per year, annual emissions calculated monthly as the sum of each consecutive 12 month period.
- n. Monthly and annual estimated emissions of nitrogen oxides and particulate matter using calculation methods approved by the Air Compliance Manager, West Central Regional Office.
- o. The dates, time, duration and reason identifying each period during which the emergency bypass stack cap was opened.
- p. Scheduled and unscheduled maintenance, and operator training.
- q. The operation, maintenance, and monitoring plan for the bag leak detection system.
- r. Monthly (end-of-month) records of trailer locations, number of trailers, and estimate of number and weight of tires stored.

These records shall be available for inspection by the DEQ and shall be current for the most recent five years.

(9 VAC 5-80-850 and 9 VAC 5-50-50)

34. **Reports for Continuous Monitoring Systems** - The permittee shall furnish written reports to the Air Compliance Manager, West Central Regional Office of excess emissions from any process monitored by a continuous monitoring system (COMS/CEMS) on a quarterly basis, postmarked no later than the 30th day following the end of the calendar quarter. These reports shall include, but are not limited to the following information:
- a. The magnitude of excess emissions, any conversion factors used in the calculation of excess emissions, and the date and time of commencement and completion of each period of excess emissions;
 - b. Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the process, the nature and cause of the malfunction (if known), the corrective action taken or preventative measures adopted;

- c. The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments; and
- d. When no excess emissions have occurred or the continuous monitoring systems have not been inoperative, repaired or adjusted, such information shall be stated in that report.
- e. The dates, time, duration and reason identifying each period during which the emergency bypass stack cap was opened.

(9 VAC 5-50-50)

35. Reports for Facility or Control Equipment Malfunction - Within 30 days of a failure or malfunction that is expected to exist for 30 days or more, and semi-monthly thereafter until the failure or malfunction is corrected, the permittee shall furnish written reports to the Air Compliance Manager, West Central Regional Office containing the following:

- a. Identification of the specific facility that is affected as well as its location and registration number;
- b. The expected length of time that the air pollution control equipment will be out of service;
- c. The nature and quantity of air pollutant emissions likely to occur during the breakdown period;
- d. Measures taken to reduce emissions to the lowest amount practicable during the breakdown period;
- e. A statement as to why the owner was unable to obtain repair parts or perform repairs that which would allow compliance with the provisions of these regulations within 30 days of the malfunction or failure;
- f. An estimate, with reasons given, of the duration of the shortage of repairs or repair parts which would allow compliance with the provisions of these regulations; and
- g. Any other pertinent information as may be requested by the Board.

(9 VAC 5-20-180 D)

NOTIFICATIONS

36. Initial Notifications - The permittee shall furnish written notification to the Air Compliance Manager, West Central Regional Office:

- a. The date on which modification of the induced draft fan and baghouse expansion is anticipated, within ten business days of commitment to purchase equipment.
- b. The date on which the fan and baghouse modification was completed, with ten business days after such date.
- c. The date on which average daily heat input reached or exceeded 32 MMBTU/hr as a daily average, reported within ten business days after such date.
- d. The date on which average daily heat input reached or exceeded 36 MMBTU/hr as a daily average, reported within ten business days after such date.

(9 VAC 5-50-50 and 9 VAC 5-80-850)

37. Notification for Facility or Control Equipment Malfunction - The permittee shall furnish notification to the Air Compliance Manager, West Central Regional Office of malfunctions of the affected facility or related air pollution control equipment that may cause excess emissions for more than one hour, by facsimile transmission, telephone, or telegraph. Such notification shall be made as soon as practicable but no later than four daytime business hours after the malfunction is discovered. The permittee shall provide a written statement giving all pertinent facts, including the estimated duration of the breakdown, within two weeks of the discovery of the malfunction. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the permittee shall notify Air Compliance Manager, West Central Regional Office in writing.

(9 VAC 5-20-180 C and 9 VAC 5-80-1180)

GENERAL CONDITIONS

38. Permit Invalidation - The portions of this permit related to modification of the process shall become invalid, unless an extension is granted by the DEQ, if:

- a. A program of continuous modification is not commenced before the latest of the following:
 - i. 18 months from the date of this permit;
 - ii. Nine months from the date that the last permit or other authorization was issued from any other governmental agency;
 - iii. Nine months from the date of the last resolution of any litigation concerning any such permits or authorization; or
- b. A program of modification is discontinued for a period of 18 months or more, or is not completed within a reasonable time, except for a DEQ approved period between phases of a phased construction project.

(9 VAC 5-80-1210)

39. **Right of Entry** - The permittee shall allow authorized local, state, and federal representatives, upon the presentation of credentials:
- a. To enter upon the permittee's premises on which the facility is located or in which any records are required to be kept under the terms and conditions of this permit;
 - b. To have access to and copy at reasonable times any records required to be kept under the terms and conditions of this permit or the State Air Pollution Control Board Regulations;
 - c. To inspect at reasonable times any facility, equipment, or process subject to the terms and conditions of this permit or the State Air Pollution Control Board Regulations; and
 - d. To sample or test at reasonable times.

For purposes of this condition, the time for inspection shall be deemed reasonable during regular business hours or whenever the facility is in operation. Nothing contained herein shall make an inspection time unreasonable during an emergency.
(9 VAC 5-170-130 and 9 VAC 5-80-850)

40. **Record of Malfunctions** – The permittee shall maintain records of the occurrence and duration of any bypass, malfunction, shutdown or failure of the facility or its associated air pollution control equipment that results in excess emissions for more than one hour. Records shall include the date, time, duration, description (emission unit, pollutant affected, cause), corrective action, preventive measures taken and name of person generating the record.
(9VAC 5-20-180 J and 9 VAC 5-80-850)

41. **Violation of Ambient Air Quality Standard** - The permittee shall, upon request of the DEQ, reduce the level of operation or shut down a facility, as necessary to avoid violating any primary ambient air quality standard and shall not return to normal operation until such time as the ambient air quality standard will not be violated.
(9 VAC 5-20-180 I and 9 VAC 5-80-850)

42. **Permit Suspension/Revocation** - This permit may be suspended or revoked if the permittee:
- a. Knowingly makes material misstatements in the permit application or any amendments to it;
 - b. Fails to comply with the conditions of this permit;
 - c. Fails to comply with any emission standards applicable to a permitted emissions unit;
 - d. Causes emissions from the stationary source which result in violations of , or interfere with the attainment and maintenance of, any ambient air quality standard; or
 - e. Fails to operate in conformance with any applicable control strategy, including any emission standards or emission limitations, in the State Implementation Plan in effect at the time an application for this permit is submitted.

(9 VAC 5-80-950)

43. **Change of Ownership** - In the case of a transfer of ownership of a stationary source, the new owner shall abide by any current permit issued to the previous owner. The new owner shall notify the Director, West Central Regional Office of the change of ownership within 30 days of the transfer.
(9 VAC 5-80-940)
44. **Permit Copy** - The permittee shall keep a copy of this permit on the premises of the facility to which it applies.
(9 VAC 5-170-160)

SOURCE TESTING REPORT FORMAT

Cover

1. Plant name and location
2. Units tested at source (indicate Ref. No. used by source in permit or registration)
3. Tester; name, address and report date

Certification

1. Signed by team leader / certified observer (include certification date)
- * 2. Signed by reviewer

Introduction

1. Test purpose
2. Test location, type of process
3. Test dates
- * 4. Pollutants tested
5. Test methods used
6. Observers' names (industry and agency)
7. Any other important background information

Summary of Results

1. Pollutant emission results / visible emissions summary
2. Input during test vs. rated capacity
3. Allowable emissions
- * 4. Description of collected samples, to include audits when applicable
5. Discussion of errors, both real and apparent

Source Operation

1. Description of process and control devices
2. Process and control equipment flow diagram
3. Process and control equipment data

* Sampling and Analysis Procedures

1. Sampling port location and dimensioned cross section
2. Sampling point description
3. Sampling train description
4. Brief description of sampling procedures with discussion of deviations from standard methods
5. Brief description of analytical procedures with discussion of deviation from standard methods

Appendix

- * 1. Process data and emission results example calculations
2. Raw field data
- * 3. Laboratory reports
4. Raw production data
- * 5. Calibration procedures and results
6. Project participants and titles
7. Related correspondence
8. Standard procedures

* Not applicable to visible emission evaluations.